

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

ORLANDO JAMES,

Plaintiff,

FILE NO. 2:07-CV-235

v.

HON. ROBERT HOLMES BELL

UNKNOWN JONDREAU et al.,

Defendants.

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ORDER AND PARTIAL JUDGMENT

In accordance with the opinion entered this date,

IT IS ORDERED that Plaintiff's objections (docket #64) to the Report and Recommendation of the Magistrate Judge (docket #58) are **GRANTED IN PART AND DENIED IN PART** and the Report and Recommendation of the Magistrate Judge is **ADOPTED IN PART AND REJECTED IN PART**.

IT IS FURTHER ORDERED that the motion for summary judgment filed by Defendants Morin, Jondreau, Vertanen, Lampela, Marti, Kertu, Curtis and LeClaire (docket #24) is **GRANTED IN PART AND DENIED IN PART** and the motion for summary judgment filed by Defendants Tribley, Sackett and Borgen (docket #50) is **GRANTED**.

IT IS FURTHER ORDERED that judgment is hereby entered against Plaintiff and in favor of Defendants Jondreau, LeClaire, Morin, Tribley, Sackett and Borgen.

IT IS FURTHER ORDERED that Plaintiff's retaliation claim is **DISMISSED**, but his claim of excessive force claim against Defendants Vertanen, Lampela, Marti, Kertu and Curtis will be allowed to proceed.

Dated: June 23, 2009

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE